

**JAMES HAWKINS APLC**

James R. Hawkins (SBN 192925)  
James@jameshawkinsaplc.com  
Christina M. Lucio (SBN 253677)  
Christina@jameshawkinsaplc.com  
Mitchell J. Murray (SBN 285691)  
mitchell@jameshawkinsaplc.com  
9880 Research Drive, Suite 200  
Irvine, California 92618  
Telephone: (949) 387-7200  
Facsimile: (949) 387-6676

Attorneys for Plaintiff JOE VIGIL,  
on behalf of himself and all others similarly situated

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

JOE VIGIL, individually and on behalf  
of all others similarly situated,

Plaintiff,

vs.

HYATT CORPORATION, a Delaware  
corporation, GRAND HYATT S.F.,  
LLC, a Delaware limited liability  
company, doing business as GRAND  
HYATT SAN FRANCISCO, and  
DOES 1-50, inclusive,

Defendants.

Case No. 4:22-cv-00693-HSG  
Judge: Haywood S. Gilliam, Jr.

**PLAINTIFF JOE VIGIL'S NOTICE  
OF MOTION AND MOTION FOR  
FINAL APPROVAL OF JOINT  
STIPULATION OF CLASS  
ACTION SETTLEMENT AND  
RELEASE OF CLAIMS**

Date: February 22, 2024  
Time: 2:00 p.m.  
Courtroom: 2, 4<sup>th</sup> Floor

Action Filed: November 2, 2021

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that on February 22, 2024, at 2:00 p.m., or as soon thereafter as the matter may be heard, before the Honorable Haywood S. Gilliam, Jr., in Courtroom 2, 4<sup>th</sup> Floor, of the United States District Court, Northern District of California, at the Ronald V. Dellums Federal Building & United States Courthouse, located at 1301 Clay Street, Oakland, California 94612, Plaintiff Joe Vigil (“Plaintiff”), on behalf of himself and the Class, and all others similarly situated, move the Court for Final Approval of the Joint Stipulation of Class Action Settlement and Release of Claims (“Settlement”) [Dkt. # 44-2-1]. Specifically, Plaintiff moves for an order:

- (1) Appointing Plaintiff Joe Vigil as Class Representative for settlement purposes;
- (2) Appointing James Hawkins, APLC as Class Counsel for settlement purposes;
- (3) Appointing Phoenix Settlement Administrators (PSA) as Settlement Administrator;
- (4) Granting Final Approval of the Settlement as fair and reasonable under Rule 23(e) of the Federal Rules of Civil Procedure, including the amount of the settlement; the amount of distributions to class members; the settlement administration costs; and the amounts allocated to the enhancement payments and attorney's fees and costs;
- (5) Certifying the Class for settlement purposes
- (6) Finding that Class Members were given adequate notice of the Settlement and, in a reasonable manner, advised of their right to participate in the Settlement, file a claim, object to the Settlement, or exclude themselves from the Settlement;
- (7) Directing the clerk of the Court to enter the Order as a Final Judgment; and reserving continuing jurisdiction over the Parties, without affecting the

1 finality of the Final Judgment, for purposes of implementing, enforcing,  
2 and administering the Settlement or terms of the Final Judgment; and  
3 (8) Reserving continuing jurisdiction over the Parties, without affecting the  
4 finality of the Final Judgment, for purposes of implementing, enforcing,  
5 and administering the Settlement or terms of the Final Judgment.

6 The basis for this Motion, filed without any opposition from Defendants  
7 Hyatt Corporation and Grand Hyatt S.F., LLC (“Hyatt” or “Defendants”), is that  
8 the proposed settlement is fair, adequate, and reasonable, and the procedures  
9 carried out by the Settlement Administrator and the Parties were adequate to  
10 ensure the opportunity of class members to participate in, opt-out of, or object to  
11 the settlement.

12 Plaintiff’s motion is based on this Notice; the Memorandum of Points and  
13 Authorities; the Declaration of James R. Hawkins in support of Final Approval;  
14 the Joint Stipulation of Class Action Settlement and Release of Claims [Dkt. #  
15 44-2-1]; the Court’s Order Granting Preliminary Approval [Dkt. # 48]; the  
16 Declaration of James R. Hawkins submitted in support of Preliminary Approval  
17 [Dkt. # 44-2]; the Declaration of Plaintiff Joe Vigil submitted in support of  
18 Motion for Award of Attorneys’ Fees and Costs and Class Representative  
19 Enhancement Payment [Dkt. # 51-3]; the Declaration of James R. Hawkins In  
20 Support of Motion for Award of Attorneys’ Fees and Costs, and Class  
21 Representative Incentive Payment [Dkt. # 51-2]; and all other records, pleadings,  
22 and papers on file in this action and such other evidence or argument as may be  
23 presented to the Court at the hearing on this Motion. Plaintiff also submits a  
24 Proposed Order Granting Final Approval of Joint Stipulation of Class Action  
25 Settlement and Release of Claims with his moving papers.

26 ///

27 ///

28 ///

1 Plaintiff previously filed a Motion for Award of Attorneys' Fees and  
2 Costs, and Class Representative Incentive Payment under Rule 23(h) [Dkt. No.  
3 51] on November 3, 2023, which is set to be concurrently heard with this Motion.  
4

5 Respectfully submitted,

6 **JAMES HAWKINS APLC**

7  
8 DATED: January 17, 2024

By: /s/ Christina M. Lucio

James R. Hawkins

Christina M. Lucio

Mitchell J. Murray

11 Attorneys for Plaintiff and the  
12 Settlement Class  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2024I electronically filed the foregoing with the Clerk of the Court for the U.S. District Court, for the Northern District of California using the CM/ECF system. All participants are registered CM/ECF users, and will be served by the CM/ECF system.

Dated: January 17, 2024

/s/ Christina M. Lucio  
Christina M. Lucio